REMARKS

This Application has been carefully reviewed in light of the Office Action mailed September 1, 2006. Claims 1-21 are pending in the application. In the Office Action the Examiner rejects Claims 1-21. To advance prosecution of this case, Applicant amends Claims 1-2, 4-5, 9-10, 12-13, and 17-21. In addition, Applicant cancels Claims 6 and 14. Applicant does not admit that any amendments are necessary due to any prior art or any of the Examiner's rejections. Applicant respectfully requests reconsideration and allowance of all pending claims.

Interview

Applicant thanks the Examiner for the telephonic interview that occurred on November 28, 2006. During the interview, the Examiner and the undersigned attorney for Applicant discussed the "plurality of interest group identifiers" recited in amended Claim 1.

Section 102 Rejections

The Examiner rejects Claims 1-6, 9-14, and 17-21 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 5,872,911 issued to Berg (*"Berg"*). Applicant respectfully requests reconsideration and allowance of Claims 1-6, 9-14, and 17-21.

Berg fails to support the rejection of amended Claim 1 for several reasons. First, *Berg* fails to teach, suggest, or disclose "defining alert filter criteria, wherein a particular alert filter criterion is associated with one or more of a plurality of interest group identifiers" as recited in amended Claim 1. Second, *Berg* fails to teach, suggest, or disclose "determining...at least one interest group identifier associated with the alert condition" as recited in amended Claim 1. Third, *Berg* fails to teach, suggest, or disclose "identifying at least one alert filter criterion associated with the at least one determined interest group identifier" as recited in amended Claim 1.

First, *Berg* fails to teach, suggest, or disclose "defining alert filter criteria, wherein a particular alert filter criterion is associated with one or more of a plurality of interest group identifiers" as recited in amended Claim 1. *Berg* generally discloses three methods for filtering fault data in a telecommunications network. (Col. 3, ll. 16-49). First, *Berg* discloses filtering the fault data based on the "type of equipment." (Col. 3, ll. 55-56). According to the first method, "alarm data corresponding to only a particular type of equipment is retained for

subsequent processing." (Col. 3, ll. 56-58). The second filtering method disclosed by *Berg* is based on "severity." According to the second method, an alarm has a severity level that is "associated with the imminence and/or magnitude of service impact." (Col. 3, ll. 63-64). *Berg* states that "filtering can pass only alarms that are one of, or a combination of, the severity levels." (Col. 4, ll. 3-5). The third filtering method disclosed by *Berg* is based on "priority level." In particular, *Berg* states that "priority levels can be assigned to different pieces of equipment" and "alarms associated with equipment having a priority below, equal to, or above a selected priority level are passed by the filtering step 106 for subsequent processing." (Col. 4, ll. 10-15). Thus, *Berg* discloses various methods for filtering fault data based on type of equipment, severity, or priority level.

Berg, however, fails to teach, suggest, or disclose that "a particular alert filter criterion is associated with one or more of a plurality of interest group identifiers" as recited in amended Claim 1. Merely filtering data based on type of equipment does not teach, suggest, or disclose an "interest group" or "interest group identifiers" as recited in amended Claim 1. Similarly, filtering data based on severity or priority level, as disclosed in *Berg*, does not teach, suggest, or disclose "interest group identifiers" as recited in amended Claim 1. Therefore, *Berg* fails to teach, suggest, or disclose that "a particular alert filter criterion is associated with one or more of a plurality of interest group identifiers" as recited in amended Claim 1. Because *Berg* fails to teach, suggest, or disclose these aspects of amended Claim 1, *Berg* fails to support the rejection.

Second, *Berg* fails to teach, suggest, or disclose "determining...at least one interest group identifier associated with the alert condition" as recited in amended Claim 1. As explained above, *Berg* discloses various methods for filtering fault data in a telecommunications network. *Berg* states that the fault data, which "indicates the status of equipment," may comprise alarm data, which "indicates the presence of an equipment failure." (Col. 3, ll. 18-21). Merely receiving data that indicates equipment status or failure, however, does not teach, suggest, or disclose an "interest group identifier" or "determining...at least one interest group identifier associated with the alert condition" as recited in amended Claim 1. Because *Berg* fails to teach, suggest, or disclose these aspects of amended Claim 1, *Berg* fails to support the rejection.

Third, *Berg* fails to teach, suggest, or disclose "identifying at least one alert filter criterion associated with the at least one determined interest group identifier" as recited in

amended Claim 1. As shown above, *Berg* fails to teach, suggest, or disclose that "a particular alert filter criterion is associated with one or more of a plurality of interest group identifiers" as recited in amended Claim 1. *Berg* also fails to teach, suggest, or disclose "identifying at least one alert filter criterion associated with the at least one determined interest group identifier" as recited in amended Claim 1. Because *Berg* fails to teach, suggest, or disclose these aspects of amended Claim 1, *Berg* fails to support the rejection. For at least the foregoing reasons, Applicant respectfully requests reconsideration and allowance of amended Claim 1.

In rejecting Claims 9 and 17-19, the Examiner employs the same rationale used to reject Claim 1. Accordingly, for reasons analogous to those stated above with respect to amended Claim 1, Applicant respectfully requests reconsideration and allowance of amended Claims 9 and 17-19.

Claims 2-5, 10-13, and 20-21 depend from independent claims shown above to be allowable. In addition, these claims recite further elements not taught, suggested, or disclosed by *Berg*. For example, *Berg* fails to teach, suggest, or disclose "determining a level of risk associated with the alert condition" as recited in amended Claim 4. As explained above, *Berg* teaches methods for filtering fault data based on type of equipment, severity, or priority level. (Col. 3, ll. 55-67; col. 4, ll. 1-23). There is nothing in *Berg*, however, that teaches, suggests, or discloses a "level of risk" as recited in amended Claim 4. With respect to Claim 4, the Examiner relies on a portion of *Berg* that describes monitoring network traffic and determining the effect of a fault on the monitored traffic. (Col. 5, ll. 44-54). The cited portion of *Berg* states:

> Thus, the present invention determines what fault caused the fault data received in step 102. The effect of this fault can be assessed by considering the fault's effect on network topology and existing service. Using a conventional traffic tracking mechanism, the effect of the fault on existing traffic can be determined. An example of determining actual service impact is illustrated below with reference to FIG. 3.
>
> After determining the actual service impact in step 110, the method moves to step 112. In step 112, the method displays the fault data and the service impact to the analysis to a user.

(Col. 5, ll. 44-54). Thus, *Berg* discloses monitoring network traffic to determine the effect of a fault on network traffic. There is nothing in the foregoing portion of *Berg* that teaches, suggests, or discloses "determining a level of risk associated with the alert condition" as

recited in amended Claim 4. Merely determining the effect of a fault on network traffic does not teach, suggest, or disclose "determining a level of risk associated with the alert condition" as recited in amended Claim 4. Furthermore, *Berg* fails to teach, suggest, or disclose that "the determination of whether the alert condition satisfies the at least one identified alert filter criteria is based at least in part on the level of risk" as recited in amended Claim 4. Because *Berg* fails to teach, suggest, or disclose the foregoing aspects of amended Claim 4, *Berg* fails to support the rejection. For at least the foregoing reasons, Applicant respectfully requests reconsideration and allowance of Claims 2-5, 10-13, and 20-21.

Section 103 Rejections

The Examiner rejects Claims 7-8 and 15-16 under 35 U.S.C. 103(a) as being unpatentable over *Berg* in view of U.S. Patent No. 6,154,849 issued to Xia (*"Xia"*). Applicant respectfully requests reconsideration and allowance of Claims 7-8 and 15-16.

Claims 7-8 and 15-16 depend from independent claims shown above to be allowable. In addition, Claims 7-8 and 15-16 recite further elements not taught, suggested, or disclosed by the cited references. For at least these reasons, Applicant respectfully requests reconsideration and allowance of Claims 7-8 and 15-16.
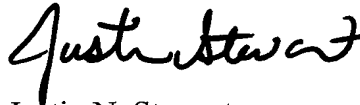
13

CONCLUSION

Applicant has made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other apparent reasons, Applicant respectfully requests full allowance of all pending claims.

If the Examiner feels that a telephone conference or an interview would advance prosecution of this Application in any manner, Applicant invites the Examiner to call the undersigned attorney at (214) 953-6755 at the Examiner's convenience.

Applicant believes no fees are currently due. However, should there be a fee discrepancy, the Commissioner is hereby authorized to charge any required fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.
Attorneys for Applicant

Justin N. Stewart
Reg. No. 56,449

Date: December 1, 2006

CORRESPONDENCE ADDRESS:

at Customer No.   **05073**